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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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*John Page*

## INSPECTION REPORT

INSPECTION DATE & TIME: 08:00 to 16:00, 10-12 March 1992

Permittee and/or Operator's Name: Co-Op Mining Company  
Business Address: Post Office Box 1245, Huntington, Utah 84528  
Mine Name: Bear Canyon Permit Number: ACT/015/025  
Type of Mining Activity: Underground: X Surface:      Other:       
County: Emery State: Utah  
Company Official(s): Charles Reynolds (MEC/Co-Op)  
State Officials(s): Hugh Klein (DOGM)  
Federal Official(s): Russ Porter (OSM)  
Partial:      Complete: X Date of last Inspection: 10 Feb. 1992  
Weather Conditions: clear and mild, approximately 5°C  
Acreage:     

Permitted: 1060 Disturbed: 16 Regraded:      Seeded:      Bonded: 16  
Enforcement Action: Yes; see following page for list

## COMPLIANCE WITH PERMITS AND PERFORMANCE STANDARDS

	YES	NO	N/A	COMMENTS
1. PERMITS	(X)	( )	( )	(X)
2. SIGNS AND MARKERS	(X)	( )	( )	(X)
3. TOPSOIL	(X)	( )	( )	(X)
4. HYDROLOGIC BALANCE:				
a. STREAM CHANNEL DIVERSIONS	(X)	( )	( )	(X)
b. DIVERSIONS	(X)	( )	( )	(X)
c. SEDIMENT PONDS AND IMPOUNDMENTS	(X)	( )	( )	(X)
d. OTHER SEDIMENT CONTROL MEASURES	(X)	( )	( )	(X)
e. SURFACE AND GROUNDWATER MONITORING	(X)	( )	( )	(X)
f. EFFLUENT LIMITATIONS	(X)	( )	( )	(X)
5. EXPLOSIVES	(X)	( )	( )	( )
6. DISPOSAL OF DEVELOPMENT WASTE & SPOIL	(X)	( )	( )	( )
7. COAL PROCESSING WASTE	(X)	( )	( )	( )
8. NONCOAL WASTE	(X)	( )	( )	( )
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	(X)	( )	( )	(X)
10. SLIDES AND OTHER DAMAGE	(X)	( )	( )	( )
11. CONTEMPORANEOUS RECLAMATION	(X)	( )	( )	( )
12. BACKFILLING AND GRADING	(X)	( )	( )	( )
13. REVEGETATION	(X)	( )	( )	( )
14. SUBSIDENCE CONTROL	(X)	( )	( )	(X)
15. CESSATION OF OPERATIONS	(X)	( )	( )	( )
16. ROADS				
a. CONSTRUCTION	(X)	( )	( )	(X)
b. DRAINAGE CONTROLS	(X)	( )	( )	( )
c. SURFACING	(X)	( )	( )	( )
d. MAINTENANCE	(X)	( )	( )	( )
17. OTHER TRANSPORTATION FACILITIES	(X)	( )	( )	( )
18. SUPPORT FACILITIES				
UTILITY INSTALLATIONS	(X)	( )	( )	( )

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(Comments are Numbered to Correspond with Topics Listed Above)

### General Comments

Mr. Russ Porter of OSM-Albuquerque accompanied the undersigned as part of a federal oversight inspection. At the outset, both Mr. Porter and the undersigned presented credentials to Mr. Charles Reynolds for review.

The entire first day was devoted to the records; the remainder of the inspection was spent in the field. It is important to note that the records were unorganized. There was some difficulty in discerning compliance for certain parts of the permit. Eventually, the answers to these questions were ferreted out, but not without difficulty and what I believe to be a waste of time. Records at Bear Canyon are an ongoing problem. The operator has been told repeatedly to organize the on-site permit, yet no real progress has been made here.

On the whole, many areas of the site were not being maintained as specified in the PAP. At the closeout, it was necessary to take enforcement actions. The following NOV's were issued:

N92-40-01-1  
N92-40-02-1  
N92-40-03-2  
N92-40-04-1  
N92-40-05-1  
N92-40-06-1  
N92-40-07-1  
N92-40-08-1  
N92-40-09-1  
N92-40-10-2

It should be noted that N92-40-04-1 has been vacated by the Division.

The SPCC was not in order and the operator has committed to submit a new one within three weeks from the date of the closeout.

NOV #91-35-08-1 is still pending due to a review of "affected area" terminology and related implications for drainage control and reclamation.

### 1) Permits

Co-Op's permit to mine was reviewed. This permit was renewed in May of 1991. In addition, the bond and insurance were also checked. Initially, there was some question as to the validity of the insurance because there was no signed copy of the policy available. Eventually, a signed copy was obtained.

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Residential waiver letters, the air quality permit and the UPDES permit were reviewed. The most recent copy of the air quality permit was not signed. It was explained that the permit was signed, but that the signature was so light and it did not show up on the xerox copy. Mr. Reynolds informed us that Co-Op was obtaining documentation of this. As of the present date, such documentation has not been presented to the undersigned.

### 2) Signs and markers

Signs and markers were not in order. The mine identification sign did not contain the proper mailing address. In addition, the baseball field topsoil pile did not have proper identification. Both of these matters were rectified prior to the completion of the inspection.

Disturbed area perimeter markers were not in place and maintained as specified and outlined in the PAP. Due to this fact, NOV #92-40-06-1 was issued.

### 3) Topsoil

The baseball field topsoil pile berm was found to be breached in two places, but was repaired by the end of the inspection. The topsoil pile near the scalehouse was not being maintained as specified in the permit. Specifically, the berm had settled in one area so as to be ineffective. In another area the berm had been destroyed and improperly repaired. For this reason, NOV #90-40-05-1 was issued.

### 4) Hydrologic balance:

#### a) stream channel diversions

Diversions for Bear Creek were found to be satisfactory.

#### b) diversions

Undisturbed (clean water) and disturbed (dirty water) diversions were inspected against the designs contained within the hydrology section of the PAP. With the exception of the diversion designated D-3U, the diversions were not constructed and/or maintained as specified. This created the need to issue NOV #92-40-03-2 (part 1).

Part 2 of NOV #92-40-03-2 was issued when an unpermitted diversion was found at the Hoist Road.

When lump coal was found in undisturbed (clean water) drainage D-9U, NOV #92-40-07-1 was issued.

West of the haul road, off the permit area, downstream from the outfall of C-12U a silt fence was discovered. The structure was almost entirely full and had been cleaned on a few previous occasions. This last fact was supported by the adjacent pile of cleanout material. Mr. Reynolds claimed that this was located there at the request of the Division. When no supporting

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documentation of this could be provided, NOV #92-40-09-1 was written.

### c) sediment ponds and impoundments

Sediment pond A and B were found to be in good working order, however the as built maps for these structures were not. Plate 7-2 (sediment pond A) had been revised, but not recertified. As a result, NOV #92-40-08-1 was issued. Plate 7-2 did not accurately reflect the as built pond, but since the map was not valid, no action was taken on this matter.

Sediment pond B's as built was incorrect in that it did not show the decant device. This necessitated NOV #92-40-10-2 (part 1).

Annual pond inspections were also reviewed. The report form presently used is, in my professional opinion, marginal in regard to the regulatory requirement. This issue will be discussed with the operator's environmental compliance coordinator.

### d) other sediment control measures

After inspecting the BTCA areas, there was some question as to how these areas had been permitted and their effectiveness. Subsequent review of the BTCA appendix and my professional opinion that the best technology currently available is not being utilized made it necessary to issue Division Order 92A. The Order addresses the above mentioned concerns.

### e) surface and ground water monitoring

Fourth quarter water monitoring reports had been reviewed previously, so there was not an in depth review of these during the inspection. Some comparisons of recent records with those from years past was also made.

Water monitoring well SBC-3 was found to have a cracked casing and a faulty cap. Violation #92-40-01-1 was issued here. During the week of March 23-27, Co-Op is planning to complete some underground wells. Bill Warmack of the Price area office of Water Rights is scheduled to be on site at that time. Mr. Warmack has been requested by the undersigned to inspect the damaged well, and to inform me of any requirements Water Rights may have for repair of the structure.

### f) effluent limitations

All fourth quarter UPDES DMR's were in order save one. The November report for point 004 did not contain laboratory results for the sample. The report said it had been lost. I had made Mr. Harry Campbell aware of this in November and Water Quality had investigated the matter. Both Water Quality's letter and Co-Op's response are in the file. As the matter has been

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handled by Water Quality, no further action appears necessary at this time.

## 9) Protection of environmental values

The permit did not contain a written waiver for the operator to conduct activities within 100 feet of the stream buffer zone. Such activities are currently taking place. In order to resolve this, previous findings on the matter are being reviewed. Once it has been assured that the review was adequate, it is my understanding a written waiver will be issued.

## 14) Subsidence control

The annual subsidence report had not been formally submitted at the time of this inspection, and is not due until the end of this month. An informal report was provided for our review. The actual stations were not inspected because of inaccessibility.

## 16) Roads

### a) construction

It was not possible to inspect the mine roads against maps in the permit because the maps were either inaccurate or did not contain the requisite design specifications. NOV #92-40-02-1 was issued for the lack of specifications; NOV #92-40-10-2 (part 2) was issued for certifying an inaccurate map.

## Copy of this Report:

Mailed to: Russ Porter & Bernie Freeman (OSM-AFO)

Wendell Owen (Co-Op)

Given to: Joe Helfrich (DOGM)

William Malencik (DOGM-PFO)

Inspector's Signature & Number: [Signature]

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Date: 20 March 1992